

2020-264E
2020-265E

296007
296008

Butler, David

From: Butler, David
Sent: Tuesday, December 15, 2020 2:47 AM
To: Speer, Taylor
Cc: Heather Smith; jwkuykendall@jwklegal.com; Rebecca J. Dulin; J. Ashley Cooper; willmittleton@parkerpoe.com; Bateman, Andrew; Grube-Lybarker, Carri; Hall, Roger; Knowles, Alex; Ledford, Peter-energync; klee@selcsc.org; Nelson, Jeff; Pittman, Jenny; thad@votesolar.org; robsmith@mvalaw.com
Subject: Re: [EXTERNAL] Report on Conference Call of December 11, 2020

Mr. Speer:

Thanks for the email. I will take the proposed dates to the Commission for consideration this week. Happy Holidays to you..

David Butler
Chief Hearing Officer

Sent from my iPhone

On Dec 14, 2020, at 10:04 PM, Speer, Taylor <TSpeer@turnerpadget.com> wrote:

Ms. Smith, thank you kindly for your work in preparing a new proposed procedural schedule. Alder Energy is available and has no objection to the dates proposed. Happy Holidays to the parties and Commission,

R. Taylor Speer
Attorney
Turner | Padget

(Sent from mobile device)

On Dec 14, 2020, at 8:59 PM, Butler, David <David.Butler@psc.sc.gov> wrote:

Thanks, Heather. I would like to hear from Alder as well if possible. I appreciate, however, the efforts of the parties of this issue.
David Butler

Sent from my iPhone

On Dec 14, 2020, at 8:39 PM, Smith, Heather Shirley
<Heather.Smith@duke-energy.com> wrote:

Dear Hearing Officer Butler:

DEC/DEP have sketched out a scheduling proposal for your consideration, shown below. We have heard support for this schedule from ORS, SEIA, NCSEA, SELC, Nucor, & Vote Solar on the below. We have been unable to connect with counsel for Alder today, so perhaps he was tied up with another matter and can hopefully respond to this note. Also, although we do not want to be presumptuous with requesting specific dates for orders, due to the statutory mandates of Act 62 we've included them below along with an explanation.

	<u>Original</u>	<u>Possible Dates</u>
ORS and Intervenor Direct	12/7/2020	2/8/2021
Duke Rebuttal	12/21/2020	2/22/2021
ORS and Intervenor Surrebuttal	1/11/2021	3/8/2021
Witness order due	1/13/2021	3/10/2021
Hearing	1/20/2021	3/17/2021
Briefs and proposed orders due	2/5/2021	4/16/2021
PSCSC Order (<i>or at least a directive with enough information for compliance tariffs</i>)	3/3/2021	5/17/2021
Compliance Tariffs Due	3/15/2021	5/31/2021

Mr. Butler, you may recall the tariffs need to be effective June 1, 2021 under Act 62. DEC/DEP need at least a month to be able to bill the new tariffs. However, if we receive an order, or at least a directive with enough information to create and file compliance tariffs along the dates described above, we can meet a tariff availability date of June 1 with billing effective July 1, 2021. We believe this comports with Act 62 because 58-40-20(F)(1) discusses a tariff going into "effect" for applications received after May 31, 2021.

We hope this aids your consideration of the matter and we appreciate your patience with us.

Best,

Heather

From: Butler, David <David.Butler@psc.sc.gov>
Sent: Monday, December 14, 2020 8:12 PM
To: Smith, Heather Shirley <Heather.Smith@duke-energy.com>
Cc: jwkuykendall@jwklegal.com; Dulin, Rebecca Jean <Rebecca.Dulin@duke-energy.com>; J. Ashley Cooper <ashleycooper@parkerpoe.com>; willmiddleton@parkerpoe.com; Bateman, Andrew <abateman@ors.sc.gov>; Grube-Lybarker, Carri <clybarker@scconsumer.gov>; Hall, Roger <RHall@scconsumer.gov>; Knowles, Alex <aknowles@ors.sc.gov>; Ledford, Peter-energync <peter@energync.org>; klee@selcsc.org; tspeer@turnerpadget.com; Nelson, Jeff <jnelson@ors.sc.gov>; Pittman, Jenny <jpittman@ors.sc.gov>; thad@votesolar.org; robsmith@mvalaw.com

Subject: Re: [EXTERNAL] Report on Conference Call of December 11, 2020

Good evening Heather and parties:

Thanks for your note. I wanted to let you know that this Wednesday is likely to be the last full business meeting of the year. If you all could possibly agree on a new procedural schedule by tomorrow, I can get it before the Commission on Wednesday. If not, it will probably be the second week in January before the next full business meeting, and therefore the next opportunity for schedule consideration. I am not sure that we need another telephone conference at present, but please keep me updated.

Thanks,

David Butler

Chief Hearing Officer

Sent from my iPhone

On Dec 14, 2020, at 5:38 PM, Smith, Heather Shirley
<Heather.Smith@duke-energy.com> wrote:

Good afternoon Hearing Officer Butler.

We have had constructive discussions about the hearing dates at the dates of March 17 and 18, and a procedural schedule to incorporate such dates. I have not yet heard back from everyone but am optimistic we can agree on next steps for your consideration. If another call is helpful, I am available anytime after 2 pm tomorrow.

I will send any updated information tomorrow. I just didn't want to let the day go by without touching base on this matter.

Best,
Heather

From: Butler, David <David.Butler@psc.sc.gov>

Sent: Friday, December 11, 2020 7:30 PM

To: Smith, Heather Shirley <Heather.Smith@duke-energy.com>

Cc: jwkuykendall@jwklegal.com; Dulin, Rebecca Jean <Rebecca.Dulin@duke-energy.com>; J. Ashley Cooper <ashleycooper@parkerpoe.com>; willmiddleton@parkerpoe.com; Bateman, Andrew <abateman@ors.sc.gov>; Grube-Lybarker, Carri <clybarker@scconsumer.gov>; Hall, Roger <RHall@scconsumer.gov>; Knowles, Alex

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Subject: Re: [EXTERNAL] Report on Conference Call of
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Thank you for reporting back. I will look forward to
 hearing from you and the other parties.
 David Butler

Sent from my iPhone

On Dec 11, 2020, at 5:03 PM, Smith,
 Heather Shirley <[Heather.Smith@duke-
 energy.com](mailto:Heather.Smith@duke-energy.com)> wrote:

Dear Hearing Officer Butler:

The parties conferred and are working
 toward a response back to you,
 targeted for Monday or Tuesday. We
 understand time is of the essence and
 request those hearing dates referenced
 by the Hearing Officer be held until you
 hear back from the parties. We
 appreciate your consideration of this
 request,

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From: Butler, David
 <David.Butler@psc.sc.gov>
Sent: Friday, December 11, 2020 4:54
 PM
To: jwkuykendall@jwklegal.com; Smith,
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***** STOP & THINK!** Do you know
 and trust this sender? Were you
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 content make sense? If suspicious,
 then do not click links, open
 attachments or enter your ID or
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To the Parties:
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 conference call this afternoon for your
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To the Parties:

Attached is my summary of our conference call this afternoon for your information.

Thanks,

David Butler

Chief Hearing Officer